

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

Astellas Institute for Regenerative Medicine, and  
Stem Cell & Regenerative Medicine  
International, Inc.,

Plaintiffs,

v.

ImStem Biotechnology, Inc.,  
Xiaofang Wang, and  
Ren-He Xu,

Defendants.

Civil Action No. 1:17-cv-12239

Hon. Allison D. Burroughs

**PLAINTIFFS' NOTICE REGARDING STATUS OF  
SERVICE THROUGH THE HAGUE CONVENTION**

Plaintiffs Astellas Institute for Regenerative Medicine (“Astellas”) and Stem Cell & Regenerative Medicine International, Inc., (“SCRMI”) (collectively “Plaintiffs”) filed the complaint in this case on November 13, 2017. (D.I. 1.)

Plaintiffs served the summons and complaint on domestic defendants Xiaofang Wang and ImStem Biotechnology, Inc. on November 15 and November 20, 2017, respectively. (*See* D.I. 13, 14.) On November 30, 2017, Plaintiffs filed affidavits of service on those defendants with the Court. (*Id.*)

Plaintiffs are in the process of completing service on the remaining defendant, Ren-He Xu, a resident of Macao. The requisite service documents were translated into Portuguese, as required by the Hague Service Convention and the laws of Macao. (Hamilton Decl., ¶ 6.) The service documents and their translations were received by the Procuratorate of the Macao Special

Administrative Region (“SAR”) on January 29, 2018. (*See* Hamilton Decl., ¶ 3.) Service of process in Macao currently takes at least four months. (Hamilton Decl., ¶ 7.)

Under Fed. R. Civ. P. 4(m) and L. R. 4.1, Plaintiffs are required to return proof that summonses were served on defendants within 90 days of filing the complaint. As such, the deadline for completing service in this case would ordinarily be February 12, 2018. The normal 90-day time limit for service does not apply when accomplishing service through the Hague Convention. Fed. R. Civ. P. 4(m). Accordingly, Plaintiffs wish to inform the Court that service on Ren-He Xu will not be complete by February 12, 2018. Plaintiffs will notify the Court as soon as service on Ren-He Xu has been completed.

Dated: February 13, 2018

Respectfully submitted,

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*Counsel for Plaintiff Stem Cell & Regenerative  
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**LOCAL RULE 7.1(a)(2) CERTIFICATE**

I certify pursuant to Local Rule 7.1(a)(2) that counsel for Plaintiffs have conferred and that counsel for Defendants ImStem Biotechnology, Inc. and Xiaofang Wang have informed us they will not oppose this notice.

Dated: February 13, 2018

By: /s/ Charles H. Sanders  
Charles H. Sanders

**LOCAL RULE 5.2(b) CERTIFICATE OF SERVICE**

I hereby certify that this document and all supporting papers filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) or otherwise served on Defendants and their counsel in accordance with Local Rule 5.2(a).

Dated: February 13, 2018

By: /s/ Charles H. Sanders  
Charles H. Sanders